

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION

Master Docket No. 11-CV-2509-LHK

THIS DOCUMENT RELATES TO:

ALL ACTIONS

MINUTE ORDER AND CASE
MANAGEMENT ORDER

Clerk: Martha Parker Brown
Reporter: Lee-Anne Shortridge
Length of hearing: 1hr2min

Plaintiffs' Attorneys: Joseph Richard Saveri, Brendan Patrick
Glackin, Dean Michael Harvey, Katherine M. Lehe
Defendants' Attorneys: Craig Ellsworth Stewart and Catherine
Tara Broderick for Adobe Systems, Inc. and Intuit Inc.;
George Riley and Michael Frederick Tubach for Apple
Inc.; Lee H. Rubin for Google Inc.; Zachary J. Alinder
and Frank Hinman for Intel Corp.; John Watkins Kecker
and Daniel Edward Purcell for Lucasfilm Ltd.; Emily
Johnson Henn for Pixar.

A case management conference was held on October 26, 2011. A further case management conference is set for January 26, 2012, at 1:30 p.m.

DISCOVERY PLAN: Per Fed. R. Civ. P. and Local Rules, subject to any provisions below.

For the reasons stated on the record, the Court GRANTED in part and DENIED in part Defendants' motion for temporary stay of discovery, and VACATED the December 8, 2011 hearing on this motion. The Court also terminated the Discovery Dispute Joint Report #1 as MOOT.

By November 30, 2011, from the documents Defendants produced to the United States Department of Justice in connection with *United States v. Adobe Systems, Inc.* and/or *United States v. Lucasfilm Ltd.*, Defendants shall respond to and produce relevant, non-privileged documents responsive to Document Request Nos. 1-7 of Plaintiffs' First Set of Requests for Production of Documents. All other discovery is STAYED until the January 26, 2012 hearing on Defendants' motions to dismiss. By December 16, 2011, Defendants shall produce their privilege logs related to Document Request Nos. 1-7.

By November 4, 2011, Plaintiffs shall file a status report confirming that they have dismissed *Leiff, Cabraser, Heimann & Bernstein, LLP v. U.S. Dep't of Justice*, Case No. 11-CV-1629-RBW (D.D.C. Mar. 18, 2011), for mootness, and, if they have not, explaining why not.

By November 4, 2011, Plaintiffs shall stipulate to strike their claims for injunctive relief in their Consolidated Amended Complaint, or Plaintiffs shall file a statement explaining why the claims for injunctive relief are not duplicative of the injunctions issued by the U.S. District Court for the District of Columbia.

The Court hereby adopts the following deadlines:

DEADLINE TO AMEND THE PLEADINGS AND ADD PARTIES is May 15, 2012.

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MINUTE ORDER AND CASE MANAGEMENT ORDER

1 SUBSTANTIAL COMPLETION OF ROLLING PRODUCTION OF OTHER DOCUMENTS is
June 15, 2012.

2 MOTION FOR CLASS CERTIFICATION must be filed no later than June 28, 2012. The
3 opposition is due August 2, 2012, and the reply is due August 30, 2012. The hearing on the motion
for class certification is set for September 20, 2012, at 1:30 p.m.

4 FACT DISCOVERY CUTOFF is November 30, 2012.

5 INITIAL EXPERT REPORTS: December 14, 2012.

6 REBUTTAL EXPERT REPORTS: January 4, 2013.

7 EXPERT DISCOVERY CUTOFF is January 25, 2013.

8 DISPOSITIVE MOTIONS and DAUBERT MOTIONS shall be filed by February 7, 2013, and set
for hearing no later than March 14, 2013, at 1:30 p.m.

9 PRETRIAL CONFERENCE DATE is May 15, 2013, at 2 p.m.

10 JURY TRIAL DATE is June 10, 2013, at 9 a.m. in courtroom 8, 4th floor.

11 TRIAL LENGTH is estimated to be 15 days.

12 **IT IS SO ORDERED.**

13 Dated: October 26, 2011


LUCY H. KOH
United States District Judge